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 AXIS-SHIELD ASA

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION**

GENERAL ATOMICS, DIAZYME)
 LABORATORIES DIVISION, a California)
 corporation)
 Plaintiff and counterdefendant,)
 v.)
 AXIS-SHIELD ASA, a Norway corporation,)
 Defendants.)

Case No. C 05 4074 SI

**STIPULATION AND PROPOSED
 ORDER ALLOWING AXIS-SHIELD
 TO FILE SURREPLY IN
 OPPOSITION TO GENERAL
 ATOMICS AND CAROLINA LIQUID
 CHEMISTRIES SECOND MOTION
 FOR SUMMARY JUDGMENT OF
 NONINFRINGEMENT**

Date: February 23, 2007
 Time: 9:00 a.m.
 Courtroom: 10, 19th Floor
 Judge: Honorable Susan Illston

AND RELATED ACTIONS.

1 1. General Atomics, Diazyme Laboratories Division, and Carolina Liquid Chemistries
2 Corporation (collectively, “General Atomics”) and Axis-Shield ASA (“Axis-Shield”) hereby
3 stipulate as follows:

4 2. General Atomics consents to Axis-Shield ASA filing on February 20, 2007, a
5 surreply and supporting declarations and objections in opposition to General Atomics and Carolina
6 Liquid Chemistries Second Motion for Summary Judgment of Noninfringement, set for hearing on
7 February 23, 2007, and an opposition and supporting papers to General Atomics and Carolina Liquid
8 Chemistries Objections to Evidence and Motion to Strike. The surreply memorandum shall not
9 exceed 15 pages; and the memorandum in opposition to the motion to strike shall not exceed 15
10 pages.

11
12 Dated: February 20, 2007

13 KIRKPATRICK & LOCKHART
14 PRESTON GATES & ELLIS LLP

15 By: _____/s/
16 TIMOTHY P. WALKER
17 ELAINE Y. CHOW

18 LOUIS C. CULLMAN
19 VOSS, COOK & THEL LLP
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21 FRANCIS T. DONOHUE
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23 Counterclaimant
24 AXIS-SHIELD ASA

25 MORRISON & FOERSTER LLP

26 By: _____/s/
27 ANDERS T. AANNESSTAD
28 Attorney for Plaintiff
 GENERAL ATOMICS, DIAZYME
 DIVISION AND CAROLINA LIQUID
 CHEMISTRIES CORPORATION

[PROPOSED] ORDER

Pursuant to the parties' stipulation, Axis-Shield is granted leave to file a surreply and supporting declarations and objections in opposition to General Atomics and Carolina Liquid Chemistries pending motion for summary judgment and an opposition to General Atomics and Carolina Liquid Chemistries pending motion to strike.

IT IS SO ORDERED.


THE HONORABLE SUSAN ILLSTON
U.S. District Court – Northern District

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